

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION**

UNITED STATES OF AMERICA

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Case No. 1:08CR00024-51

V.

ORDER

TRAVIS DELL JONES,

By: James P. Jones

Chief United States District Judge

Defendant.

For the reasons set forth in the opinion accompanying this order, it is

ORDERED as follows:

1. The objections to the magistrate judge's Report and Recommendation are **OVERRULED** and it is **ACCEPTED**;
2. The Motion to Dismiss is **GRANTED** in part and **DENIED** in part; and
3. The Indictment against this defendant is **DISMISSED** without prejudice.

ENTER: September 12, 2008

/S/ JAMES P. JONES

Chief United States District Judge